COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

TOWN OF FRAMINGHAM REQUEST FOR DETERMINATION OF RATES APPLICABLE TO TRANSPORTATION AND TREATMENT OF SEWAGE PURSUANT TO INTERMUNICIPAL AGREEMENT	)	**D.T.E. 02-46**

TOWN OF FRAMINGHAM'S RESPONSE TO THE TOWN OF ASHLAND'S FIRST SET OF INFORMATION REQUESTS

The Town of Framingham ("Framingham") responds to the Town of Ashland's First Set of Information Requests as follows.

ASH 1-1 What have been the repair costs to the Shared Segments incurred from 1963 to present? Please provide all documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-1:

Framingham does not allocate its operations and maintenance expenses by "segments," and therefore has no data responsive to this request. Moreover, calculating charges based on the length of pipe used, as opposed to a volume-based approach, is an improper and inaccurate methodology for the reasons outlined in prior discovery responses, which will be further elaborated upon at the hearing of this matter.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting, and Robert Angelo, Framingham's Water and Sewer Superintendent.

ASH 1-2 What have been the replacement costs of the Shared Segments incurred from 1963 to present? Please provide all documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-2:

Framingham's data regarding the costs of replacing different elements of its sewer system over the last forty years is incomplete. The data Framingham has been able to locate is set forth in the following table.

Ashland Connection Pipe Information

Bates Road Connection

Original Pipe

Location	Pipe Size (inches)	Material	Pipe Length (feet)	Year Constructed	"Cost"
Bates Rd - Andrews St.	12	CIP (Cast Iron Pipe)	2348.7	1953	
Andrews St. - Eames St.	12	CIP	2050.95	1953	
Eames St. - Irving St.	14	CIP	1358.2	1941	
Irving St. - Beaver St.	18	CIP	2000	1913	
Beaver St. - Second St.	18	CIP	3577.2	1913	

Replacement Pipe

Location	Pipe Size	Material	Pipe Length	Year Constructed	"Cost"
Bates Rd. - Andrews St.	18	PVC (Polyvinyl Chloride)	2422	1988	$332,548
Andrews St. - Eames St.	18	PVC	2213.5	1988	
Eames St. - Irving St.	24	RCP (Reinforced Concrete Pipe)	1358.3	1983	
Irving St. - Beaver St.	30	RCP	1814	1974	$113,560
Beaver Dam Brook-Arthur St.	42	RCP	3200	1971	$3,011,580

CSX Connection

Original Pipe

Location	Pipe Size	Material	Pipe Length	Year Constructed	"Cost"
CSX - Waverley St.	24	RCP	3390	1959	
Waverley St. - Second St.	24 x 36	Brick	3075.4	1913	

Replacement Pipe

Location	Pipe Size	Material	Pipe Length	Year Constructed	"Cost"
CSX - Waverley St.	36	RCP	3350	1991	$814,272
Beaver St. - Beaver Dam Brook	36	RCP	1130	1971	
Beaver Dam Brook - Arthur St.[1]	42	RCP	3200	1971	$3,011,580

Framingham obtained the data in the above table from Framingham's annual reports, engineering records, and other sources. The "cost" data provided does not reflect all costs incurred by Framingham in replacing these pipe segments, such as administrative overhead, the cost of obtaining easements, engineering costs, permitting costs, and debt carrying costs.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting, John Bertorelli, Town Engineer, and Rob Addelson, Chief Financial Officer.

[1] Since 1971, the pipe running from Beaver Dam Brook to Arthur Street has carried sewage from both the Bates Road and CSX connections.

ASH 1-3 What are the current and future needs for any repairs and replacements to the Shared Segments? When does Framingham plan on performing and completing these repairs and replacements? Please provide all documents concerning Framingham's responses including but not limited to anticipated costs for such repairs and replacements.

DTE 02-46: RESPONSE TO ASH 1-3:

Framingham recently has embarked upon a comprehensive wastewater management study, which will provide Framingham with recommendations regarding future upgrades to the wastewater collection system. Upon completion, the plan will provide Framingham with a long-range capital improvement plan for the sewer system. In the interim, pipe repairs will be completed on an as-needed basis.

Steven Geribo and Paul Brinkman of SEA Consulting, and Peter Sellers, Director of Public Works, provided this response.

ASH 1-4 What, if any, replacement costs were or are for providing additional capacity to transport Ashland sewage? What, if any, replacement costs were or are for providing additional capacity to transport non-Ashland sewerage? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-4:

Framingham refers to and incorporates by reference its response to ASH 1-2. Framingham did not specifically allocate any costs associated with repairing or replacing the pipes referenced in that response to Ashland's transportation needs. Framingham notes, however, that each of the pipes identified in its response to ASH 1-2 was replaced after 1963 with a larger pipe.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-5 Please state the basis for all information contained in Table 6.2 as provided by Framingham in FRA 1-13 in the Town of Framingham's Response to the Department's First Set of Information Requests. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-5:

The flow percentages included in Table 6.2 were based upon: (1) SEA's visual observation of the flow amounts entering Framingham's system from Ashland's pipes; (2) SEA's observations as to the number of Framingham customers located in the area of those sewer line segments identified in the table; (3) SEA's knowledge as to the configuration of and flows within the sewer system; and (4) SEA's review of the MWRA's flow data.

The asset values included in Table 6.2 were developed based upon the estimated age and condition of the pipes. SEA did not use actual cost data in approximating these asset values. SEA developed the referenced asset values not to approximate the cost to Ashland of building its own system, but rather for the purpose of calculating a fair and reasonable sum to be charged to Ashland for capital buy-in under any future IMA.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-6 Please state the basis for the data concerning why in Table 6.2 of SEA's Report (May 2001), the data in the column entitled "Approximately Ashland's Use %" for the Beaver Dam Interceptor to Herbert Street was changed from 20% to *75%* in the Table 6.2 referenced by Framingharn in Framingham's FRA 1-13 Response in the Town of Framingham's Response to the Department's First Set of Information Requests. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-6:

Framingham refers to and incorporates by reference its response to DTE F-1-13.

ASH 1-7 In Framingham's DTE F-1-4 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, Framingham stated that in Appendix B of SEA's Report (May 2001), SEA updated the MWRA schematic maps by "adding new lines and connections" because they were "outdated." This same Response stated that "SEA added a small section of pipe that was missing from the MWRA schematic in the area of Beaver Street." Utilizing the Appendix B map, which "lines and connections" were added? In what respects were the MWRA maps "outdated"? Utilizing the Appendix B map, which "small section of pipe that was missing from the MWRA schematic" was added and where was it added? What is the scale of the SEA Appendix B map? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-7:

The MWRA mapping was schematic in basis and did not depict several pipe segments, including the Farm Pond Interceptor, the Beaver Dam Interceptor along Beaver Street, the 9/90 Interceptor, and some sewers in the western portion of town. The map appended to SEA's report as Appendix B also was schematic in nature, and was not drawn to scale.

This reponse was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-8 In Framingham's DTE F-1-4 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, Framingham states that the maps included in Appendix B to SEA's Report (May 2001) were based on MWRA schematic maps. Were these MWRA schematic maps the Massachusetts Water Resources Authority Community Sewerage Map for the Town of Ashland dated November 2001 and the Massachusetts Water Resources Authority Community Sewerage Map for the Town of Framingham dated November 2001? If not, please identify which MWRA schematic maps were the basis for the maps included in Appendix B to SEA's Report (May 2001)? Please provide all documents concerning Framingham' s responses.

DTE 02-46: RESPONSE TO ASH 1-8:

No. SEA Consulting used MWRA maps of Framingham that were dated June 1997.

This response was provided by Steve Geribo and Paul Brinkman of SEA Consulting.

ASH 1-9 In Framingham's DTE F-1-7 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, Framingham states that Framingham incurred costs" in connection with responding to "emergency overflow situations on these pipelines, due to weather or storm flows." What were these incurred costs and how were they incurred? Provide all documents concerning Framingham's responses. Is it Framingham' s position that the Department should award these costs to Framingham?

DTE 02-46: RESPONSE TO ASH 1-9:

Framingham currently is reviewing its records to gather data responsive to this request. Framingham does seek to recover these costs from Ashland, as these costs would have been part of Framingham's overall O&M costs in any year in which such an emergency response was required. Framingham also contends that the Department should consider these costs in determining: (a) the administrative and logistical burdens imposed on Framingham as a result of its having to transport Ashland's sewage through its system; and (b) the appropriate formula to be used in determining any future rates to be charged to Ashland, where the "inch/miles" formula proposed by Ashland would not capture costs (such as these) unrelated to the pipes utilized by Ashland within Framingham.

This response was provided by Robert Addelson, Chief Financial Officer, Robert Angelo, Framingham Department of Public Works, Sewer Superintendent, Steven Geribo and Paul Brinkman of SEA Consulting, and counsel for Framingham.

ASH 1-10 In Framingham's DTE F-1-18 Response to the Town of Framingham's Response to the Department's First Set of Interrogatories, Framingham states that "the figure provided in Framingham's Petition for the 2001 fiscal year has been increased from $203,000 (which was based on estimated budget figures) to $257,162.91 (based on actual, final numbers) and the flow percentages for 2001 have been adjusted from those set forth in SEA's study to reflect the most recent data available from the MWRA." Please provide all documents concerning Framingham's adjustment of the figure $203,000 to $257,162.91 as well as all documents which "reflect the most recent data available from the MWRA" as well as all other documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-10:

Framingham refers to and incorporates by reference its response to DTE-SIS-F-2. The final figure used as Framingham's O&M expense for the year ending December 31, 2001 was taken from Framingham's annual report. The final MWRA flow numbers were provided by the MWRA to Framingham's Sewer Superintendent.

This response was provided by Robert Angelo, Sewer Superintendent and Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-11 Please state what state and federal funding Framingham has received or knows it will receive for purposes of repairing any or all of the Shared Segments. Please state what state and federal funding Framingham has received or knows it will receive for purposes of replacing any or all of the Shared Segments. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-11:

Framingham currently is reviewing its records to determine whether it has data regarding any past state or federal funding. Framingham has no current commitments for funding with regard to the upgrade, repair, or replacement of the shared segments.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting, Robert Addelson, Chief Financial Officer, and John Bertorelli, Town Engineer.

ASH 1-12 What is the average daily flow generated by Framingham users through any and all of the Shared Segments? What is the average daily flow generated by non-Ashland users through any and all of the Shared Segments? What is the average daily flow generated by Framingham users at the point of connection to the MWRA? What is the average daily flow generated by non-Ashland users at the point of the connection to the MWRA? Please provide all supporting concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-12:

The most reliable flow information currently available, in the absence of the flow metering devices required by the IMA to be provided by Ashland, is reproduced in the table contained in Framingham's response to DTE-SIS-F1-1. Framingham also refers to and incorporates by reference its response to DTE-F-1-29.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-13 In Framingham's DTE F-1-31 Response in the Town of Framingham's Response to the Department's First Information Requests, Framingham states that "Framingham considers all facilities in its system "necessary" to convey Ashland's sewage." Which "facilities~~ is Framingham referencing and why are these facilities necessary to convey Ashland's sewage? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-13:

Framingham operates its collection system as a comprehensive unit to transport wastewater to the MWRA connection point at Arthur Street. The design, configuration, operation, and maintenance of the system are such that changes in the hydraulic conditions/flow configurations would require changes in the sewer system to convey the wastewater flows.

For example, a portion of Ashland's sewage regularly flows through two separate siphons en route to the MWRA connection at Arthur Street. Siphons are problematic because they occasionally clog and cause sewer backups, and require more maintenance than other gravity sewers. If Framingham's sewer system were reconfigured to remove these siphons, Ashland's sewage likely would have to be transported to the MWRA connection through a pumping station.

ASH 1-14 In Framingham's DTE F-1-31 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, Framingham states that "the actual pipes used by Ashland are but one component of the actual sewage components necessary to transport Ashland's sewage." Which "actual components" are "necessary to transport Ashland's sewage" (other than the Shared Segments)? Why are these components "necessary"? Please provide all documents concerning Framingham' s responses.

DTE 02-46: RESPONSE TO ASH 1-14:

The components referenced in Framingham's response to DTE F-1-31 include lateral pipe segments that provide temporary storage, parallel pipe networks, and overflow pipes. A partial list of these pipes is provided below.

Pipes Used as Bypass/Overflow
Waverly Street

Pipes Used for Temporary Storage
Bates Road
Hearth Street
Eames Street
Summit Street Extension
Herbert Street
Herbert Ave
Tripp Street
Loring Drive
Irving Street
Beaver Street
Beaver Street
Taralli Terrace
Waverley Street
Arthur Street
Bishop Street
Waverley Street
Waverley Street
Farm Pond Interceptor

Pipes Used as Parallel Pipe
Beaver Dam Interceptor

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-15 In Framingham's DTE F-1-31 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, Framingham states that "flows from Ashland (along with flows from Framingham) are temporarily stored in an overflow pipe located near the discharge to the MWRA's system, and possibly in other pipes within the Framingham system." How frequently do Ashland and Framingham flows get stored temporarily in the overflow pipe located near the discharge to the MWRA's system? Where specifically is the overflow pipe located? What other pipes in the Framingham system would possibly store Ashland flow temporarily? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-15:

Framingham refers to and incorporates by reference the table contained in its response to ASH 1-14. Framingham further states that the overflow pipe referenced in Framingham's response to DTE F-1-31 is a pipe that conveys wastewater along Waverly Street. This pipe also is the original pipe used to convey flows from the CSX Railway / Chestnut Street Connection.

Framingham does not have data responsive to the remaining parts of this request.

Steven Geribo and Paul Brinkman of SEA Consulting provided this response.

ASH 1-16 In Framingham's DTE F-l-29 Response, Framingham states that:

> "Subject to and without waiving this objection as indicated in Frarningham's response to DTE *F-1-5,* the only available flow data regarding Ashland's sewage discharges are based upon MWRA metering stations located in Ashland. In FY 1999, the MWRA meters indicated that Ashland's flow was 8.79% of the total flow in Framingham's system. In FY 2000, this figure was 13.45%. In FY 2001, this figure was 13.08%. As described in Framingham's response to DTE *F-1-5,* these flow numbers do not pick up any additional flow that might enter Ashland's pipes before the pipes discharge into Framingham's system."

Please provide all documents concerning information obtained from MWRA meters to support the percentages indicated above. State the basis for where the referenced "additional flow" might come. What is Framingham's maximum average daily estimate for the "additional flow that might enter Ashland's pipes before the pipes discharge into Framingham's system"? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-16:

The values listed in the response are based upon information received from the MWRA concerning the flows measured by the MWRA metering analysis. A summary of the information follows.

Year	Ashland Q	Framingham Q	Total Q
1994	0.78	8.13	8.91
1995	0.67	7.54	8.21
1996	0.83	9.63	10.46
1997	0.73	8.18	8.91
1998	0.81	8.99	9.80
1999	0.72	7.47	8.19
2000	1.10	7.08	8.18
2001	1.05	6.98	8.03
2002	1.04	6.99	8.03

These values do not take into account any additional flows associated with Infiltration/Inflow ("I/I") for portions of the collection system owned and operated by Ashland

downstream of the MWRA meters. At the present time, SEA has not estimated the average daily I/I entering these pipes after the MWRA meters.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-17 What, in Framingham's opinion, is the useful life of a newly installed pipe? Please provide all documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-17:

The useful life of a newly installed pipe can vary widely based upon numerous factors. These factors include the material of manufacture, the characteristics of the wastewater within the pipe, the amount of wastewater conveyed by the pipe, interactions with other sewage materials such as hydrogen sulfide, and maintenance. The standard depreciation rate for sewer pipe is 50 years. This assumes a pipe will have no value remaining after 50 years.

Framingham has pipes of various ages throughout the system. Some are in excess of 100 years old. The so-called "shared segments," however, historically have not lasted as long as pipes elsewhere in the system. For example, the Farm Pond Interceptor was replaced when only about 30 years old. Sampling data collected by SEA suggests that the sulfides in Ashland's sewage have contributed to the historical shorter life of the "shared segments."

Steven Geribo and Paul Brinkman of SEA Consulting and Framingham's counsel provided this response.

ASH 1-18 Please provide the dates of all instances where the Metropolitan District commission levied charges against Framingham as per the Intermunicipal Agreement between Ashland and Framingham dated December 9, 1963 ("IMA"). Please provide all documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-18:

We are aware of no instances where the MDC (as opposed to the MWRA) levied charges against Framingham.

ASH 1-19 Please state the basis for Framingham's assertion that there was actual damage to the Shared Segments due to the hydrogen sulfide generated by Ashland. Please state the basis for Framingham's assertion that any actual damage was directly caused by Ashland as opposed to other towns and the cost for such damage. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-19:

Framingham refers to and incorporates by reference its response to DTE-F-1-14. Framingham further states that, as referenced in its response to ASH 1-3, it recently has embarked upon a comprehensive wastewater management study. One portion of this study will be devoted to an assessment of the status of existing facilities, including the extent of corrosion within the system, and recommendations for the upgrade and improvement of the wastewater collection system.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-20 Please provide all documents concerning the presence of hydrogen sulfide in the Ashland sewer system and/or the discharge of sewerage containing hydrogen sulfide into the Framingham System.

DTE 02-46: RESPONSE TO ASH 1-20:

Framingham refers to and incorporates by reference the documents attached to Framingham's responses to the Department's First Set of Information Requests at Tabs A, D, E, and F, and the accompanying SEA report.

ASH 1-21 Please provide Framingham's position as to how Ashland and Framingham should share future capital costs. Please provide all documents concerning Framingham's response.

DTE 02-46: RESPONSE TO ASH 1-21:

SEA's Sewer Rate Assessment Study, at pages 6 – 22, provides one methodology as to a proposed capital buy-in by Ashland. Framingham currently is collecting additional data relevant to any future allocation of capital costs, and will supplement its response to this request accordingly.

ASH 1-22 Please provide copies of any intermunicipal agreements that support Framingham's claims in its Petition and subsequent pleadings filed by Framingham. Please state the basis for why Framingham claims that any intermunicipal agreements provided support Framingham's claims. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-22:

Framingham currently is working on an analysis of the IMAs it has gathered from other municipalities, and will supplement its response to this request.

This response was provided by counsel for Framingham.

ASH 1-23 In Framingham's DTE F-l-5 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, it is stated that "the MWRA's meters are not always placed in a way that guarantees the most accurate flow numbers." Please state the basis for this statement. In particular, state the basis as to how the flow numbers are not the most accurate." State the basis as to why the installation of working meters at the discharge points is relevant to the accuracy of the MWRA's flow numbers. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-23:

For its response, Framingham refers to and incorporates by reference the reasoning set forth in its response to DTE F-1-5 and its response to DTE F-1-29.

ASH 1-24 In Framingham's DTE F-l-5 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, it is stated that "[Blecause there will be infiltration and inflow into this pipe between the metering point and point of discharge, the MWRA's flow number likely underreports the actual flow into Framingham's system." State the basis as to why Framingham's statement is based in fact versus anything more than a presumption. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-24:

Gravity sewer systems installed below the groundwater table allow a certain amount of infiltration into sewer pipes. The MWRA has estimated the I/I rate for Ashland at a value of approximately 600 gpd/in-diam-mile (gallons per day per inch-diameter-mile) system-wide. Because Ashland's lines remain below the groundwater table after they enter Framingham, one reasonably must infer that I/I in approximately the amount estimated by the MWRA is entering the sewer lines after the MWRA metering points.

Steve Geribo and Paul Brinkman of SEA Consulting provided this response.

ASH 1-25 In Framingham's DTE *F-1-5* Response in the Town of Framingham's Response to the Department's First Set of Information Requests, it is stated in footnote 1 that "[T]he IMA required Ashland to install metering devices 'at each point of discharge in to the Framingham system.' (IMA p.2, ¶4) (emphasis added)." Please refer to IMA, p. 2, and state the basis as to whether "metering devices" are the same "a Parshall Flume" and why. Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-25:

The IMA specifically requires the installation of a "Parshall Flume" at each of the identified discharge locations. A Parshall flume is a primary flow measuring device. Without the installation of level recording devices, however, the flume is no more useful than a piece of pipe.

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1-26 In Framingham's DTE F-l-l0 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, it is stated that "(a) Framingham maps show this pipeline to be 18."" What Framingham maps show the pipeline to be 18"? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-26:

A copy of the relevant map section, which is part of an undated Framingham engineering department map, is attached at Tab A. Upon further review, it now appears that all maps reviewed by SEA depict this pipe as 18".

This response was provided by Steven Geribo and Paul Brinkman of SEA Consulting.

ASH 1- In Framingham's DTE F-l-24 Response in the Town of Framingham's Response to the Department's First Set of Information Requests, it is stated that "Ashland forwards to Framingham water meter readings for the direct connects. Framingham then bills these customers for sewer services based on the water meter readings providing by Ashland." What percentage of the water meter readings is presumed to be discharged to the sewerage system? Please provide all documents concerning Framingham's responses.

DTE 02-46: RESPONSE TO ASH 1-27:

Framingham, like most other communities, uses the total water meter reading in calculating sewer charges for all of its customers, including the so-called "direct connects" from Ashland. Framingham has not made any determination as to what percentage of the average water meter reading represents actual discharges to the sewer system.

This response was provided by Peter Sellers, Director of Public Works.

ASH 1-28 State the basis for Framingham's decision to terminate the transport of Ashland sewerage pursuant to the IMA or otherwise. Please provide all documents concerning Framingham' s response.

DTE 02-46: RESPONSE TO ASH 1-28:

Framingham states that its February 14, 2003 letter speaks for itself. Further responding, Framingham is terminating the IMA because Framingham currently is transporting Ashland's sewage at a substantial loss to Framingham, resulting in an unfair burden being placed on Framingham taxpayers. Further, the present IMA is unconscionable as to its terms.

This response was provided by Framingham's counsel.

Respectfully submitted,
THE TOWN OF FRAMINGHAM,
By its attorneys,

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